

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 19, 1953
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Long, MacCorkle, White, Mayor Drake
Absent: Councilman Johnson

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman MacCorkle moved that the Minutes of the past meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

MR. CHARLES D. NASH, THE CAPITAL AREA FARM AND RANCH CLUB, asked permission to operate a midway for the livestock show on March 2nd through March 7th. He stated it was an amusement operation and there would be no sideshows. The City Manager asked that the usual insurance coverage of public liability to protect the City against any claim be provided. Councilman White moved that the permission be granted with the provision of the insurance coverage. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

MR. E. L. WILLIAMS, 6222 Lamar presented a petition from citizens on North Lamar stating that the existence of esplanades from 45th north to the City limits unnecessarily limits the amount of free moving traffic on said highway; unfairly limits the possible commercial use of our properties; and the continued maintenance imposes a heavy financial burden upon the tax funds of the City without adequate return. Councilman Long moved that the City Manager be instructed to make a study of this situation and contact the Highway Department after our engineers have studied it, and report back and move along with it as fast as possible. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, White, MacCorkle, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman Long suggested that the maintenance work be stopped. The City Attorney stated the maintenance work was under contract with the Highway Department in that that the Highway Department maintained the paving, and the City maintained the esplanade.

MR. ABEL TERRIO, Capital Floor Sweep Manufacturing Company, outlined his efforts in getting a fire plug in the area of his property (4917 Post Road) during the past five years. He also outlined his efforts to get a two-inch water main brought under the highway, and a price of \$200 was quoted to him. If it were necessary to go through rock, the main would be \$230.00. He suggested bringing a 2" pipe from another direction, but was told this could not be done; however, the 2" pipe was later laid, and he was billed \$480.00. He was told it was necessary to go through an old culvert someone had laid, and there was some trouble on that account. He thought the pipe was to be brought under the highway. He had been unable to get the matter straightened out. The City Manager stated he would get a report on this, and Mr. Terrio was asked to come back next Thursday.

The Mayor signed a Proclamation setting February 22nd through February 28th as OPEN HOUSE AT THE CITY HALL WEEK. Councilman Long moved that the City Council join in with the Mayor in issuing the proclamation, as it is every citizen's duty to get acquainted with his government. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilman Long, White, MacCorkle, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Mayor called a special meeting of the Council to discuss planning and zoning only, for the following week, the date to be decided upon.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in FRAZIER AVENUE, from a point 108 feet east of Bluebonnet Lane westerly 64 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said FRAZIER AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in LARKWOOD DRIVE from Cameron Road easterly 1052 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LARKWOOD DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in RIDGEMONT DRIVE, from Cameron Road easterly 1159 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said RIDGEMONT DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in CLOVERLEAF DRIVE, from Cameron Road easterly 1558 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CLOVERLEAF DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in CORONA DRIVE, from Cameron Road easterly 1658 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CORONA DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in EAST 12TH STREET, from Greenwood Avenue easterly 114 $\frac{1}{2}$ feet, the centerline of which gas main shall be 9 feet north of and parallel to the south property line of said EAST 12TH STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(7) A gas main in REDWOOD AVENUE, from East 12th Street to Grant Street, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said REDWOOD AVENUE.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(8) A gas main in GRANT STREET, from Redwood Avenue easterly 1 block, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GRANT STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(9) A gas main in EAST 38TH STREET, from a point 37 feet west of Duval Street, westerly 460 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 38TH STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(10) A gas main in EAST 38TH STREET, from a point 97 feet east of Avenue G and 7.5 feet south of the north property line of EAST 38TH STREET southerly 18 feet.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said

mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilmen Johnson

Councilmen Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Department of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

- (1) A telephone pole line in WEST 39 $\frac{1}{2}$ STREET, from Shoal Creek Boulevard to Alice Avenue, the centerline of which pole line shall be 1 foot south of and parallel to the north property line of said WEST 39 $\frac{1}{2}$ STREET.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in WEST AVENUE from West 9th Street to West 10th Street, the centerline of which underground telephone conduit shall be 12 feet east of and parallel to the west property line of said WEST AVENUE.
- (2) An underground telephone conduit in WEST 9TH STREET, From Henderson Street to Baylor Street, the centerline of which underground telephone conduit shall be 20 feet south of and parallel to the north property line of said WEST 9TH STREET.
- (3) An underground telephone conduit in WEST 9TH STREET, from Baylor Street to Blanco Street, the centerline of which underground telephone conduit shall be 25 feet south of and parallel to the north property line of said WEST 9TH STREET.
- (4) An underground telephone conduit in BLANCO STREET, from West 9th Street (east) to West 9th Street, (west), the centerline of which underground telephone conduit shall be 13 feet west of and parallel to the east property line of said BLANCO STREET.
- (5) An underground telephone conduit in WEST 9TH STREET, from Blanco Street to Nelson Street, the centerline of which underground telephone conduit shall be 15 feet south of and parallel to the north property line of said WEST 9TH STREET.
- (6) An underground telephone conduit in WEST 9TH STREET, from Nelson Street to West Lynn Street, the centerline of which underground telephone conduit shall be 20 feet south of and parallel to the north property line of said WEST 9TH STREET.
- (7) An underground telephone conduit in WEST LYNN STREET, from West 9th Street to West 10th Street, the centerline of which underground telephone conduit shall be 5 feet west of and parallel to the east property line of said WEST LYNN STREET.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 17, 1953, for the construction and installation of equipment for the Sewage Treatment Plant expansion as follows:

Leslie Crockett Construction Company	\$179,000.00
Rex D. Kitchens Construction Company	\$189,000.00
Austin Engineering Company	\$219,600.00
Moore Construction Company	\$221,747.00
J. M. Odom, General Contractor	\$262,104.00

and,

WHEREAS, the bid of Leslie Crockett Construction Company in the sum of \$179,000.00 was the lowest and best bid for such work; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bid of Leslie Crockett Construction Company in the sum of \$179,000.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager, is hereby authorized and directed to enter into a contract with the Leslie Crockett Construction Company for the performance of such work in accordance with the Plans and Specifications therefor and in accordance with said bid.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, P. J. Anthony has made application in writing for permission to operate a dental clinic on Lot 16, Outlot 23, Division D in the City of Austin, Travis County, Texas, the same being on the east side of Nueces Street and locally known as 2207 Nueces Street and is located in a "B" Residence District which requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of this residence as a dental clinic at the above location be granted to P. J. Anthony.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Long, White, Mayor Drake
 Noes: None
 Present but not voting: Councilman MacCorkle (as he was undecided on the parking situation)
 Absent: Councilman Johnson

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, Carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF

AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON THE WEST 310 FEET OF THE C.E. PEARSON 2.88 ACRE TRACT IN THE NORTHEAST CORNER OF BLOCK 1, SKYLAND SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote;

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON A TRACT OF LAND OUT OF OUTLOT 1, DIVISION X, LOCALLY KNOWN AS 2507 SAN JACINTO BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON A TRACT OF LAND OUT OF MILITARY OUTFLOT NUMBER 1, DIVISION X, LOCALLY KNOWN AS 2505 SAN JACINTO BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

The Mayor announced the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving lien on all of Lot 151, Tarrytown 3 Addition, in the City of Austin, Travis County, Texas, in consideration of the full payment of such paving assessment against such property by Granville Price and wife, Katherine Price.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
 Noes: None
 Absent: Councilman Johnson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on or about the 22nd day of October, 1948, Harvey E. Willeford and wife, Lucille Willeford conveyed to the City of Austin a certain tract of land containing 8182 square feet, same being out of and a part of a certain lot, tract or parcel of land out of Block 3 of Plainview Heights, a Subdivision of Outlot 20 and a portion of Outlot 21, Division "C" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which conveyance is recorded in Book 926 at pages 473 to 474 of the Deed Records of Travis County, Texas; and

WHEREAS, the description in said deed was defective; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized to execute and accept that certain instrument correcting the description of the above mentioned

tract to be executed by Harvey E. Willeford and wife, Lucille Willeford, conveying said tract to the City of Austin.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W.E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving lien on Lot 12, Roy C. Archer Subdivision, in the City of Austin, Travis County, Texas, in consideration of the full payment of such paving assessment against such property by Georgia E. Klipple, the apparent owner.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON THAT PORTION OF THE KUEHNE 5-ACRE TRACT EXTENDING WESTERLY 290 FEET FROM THE PORTION THEREOF NOW ZONED "C-1" COMMERCIAL, SAID TRACT BEING LOCALLY KNOWN AS 5500 BLOCK LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Mayor announced the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Ernest Strandtman in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identifications, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 663-C)

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Carrie Potter in accordance with the terms and provisions of a certain contract, copy of which is attached to Resolution, and marked by the City Clerk for purposes of identifications, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 662-C)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with T. D. Quinn in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identifications, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENTIONS - Contract File No. 667-C)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with East End Lumber Company in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identifications, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 661-C)

The motion, seconded by Councilman MacCorkle, carried by the following vote:
Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to

enter into a contract on behalf of the City of Austin with Gray & Becker, Inc. in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 664-C)

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utilities and drainage easement was reserved and dedicated to the public on a map or plat of Highland Park West, a subdivision of portions of the Daniel J. Gilbert Survey, the C. J. Strother Survey, and the Albert Silsbee Survey, in the City of Austin, Travis County, Texas; which map or plat is recorded in Book 4, page 299, of the Plat Records of Travis County, Texas; and,

WHEREAS, such easement as hereinafter described is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of public utilities and drainage easement described as follows:

- (1) The east five (5) feet of Lot 3, Block 0 of the aforementioned subdivision.
- (2) The west five (5) feet of Lot 5, Block 0 of the aforementioned subdivision.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Mayor Drake introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE OF THE PORTION OF U. S. HIGHWAY NO. 51 AS RELOCATED ALONG EAST AVENUE IN THE CITY OF AUSTIN AS A FREEWAY AND AS A STREET HEREINAFTER REFERRED TO AS "THE EAST AVENUE PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY OF AUSTIN TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY

AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, CONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID EAST AVENUE PROJECT AS A FREEWAY; FOR THE INDEMNIFICATION OF THE STATE OF TEXAS BY THE CITY AGAINST ALL DAMAGES TO ADJOINING, ABUTTING, AND OTHER PROPERTY, AND FOR EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE OF THE PORTION OF HIGHWAY NO. U. S. 81 INTERREGIONAL, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE FOLLOWING LIMITS, TO WIT: FROM THE OLD NORTH CITY LIMIT LINE OF THE CITY OF AUSTIN NEAR ST. JOHN STREET TO THE NEW NORTH CITY LIMIT LINE OF THE CITY OF AUSTIN NEAR RUNDBERG LANE, AS A FREEWAY AND AS A STREET, HEREINAFTER REFERRED TO AS "THE PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY OF AUSTIN TO EXECUTE A CERTAIN CONTRACT BETWEEN THE CITY OF AUSTIN AND THE STATE OF TEXAS AND AUTHORIZING AND DIRECTING THE CITY CLERK TO AFFIX THE CORPORATE SEAL TO AND ATTEST THE SAME, SUCH CONTRACT PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF SAID PROJECT AS A FREEWAY AND AS A STREET, AND DETERMINING THE LIABILITIES AND RESPONSIBILITIES OF THE CITY AND THE STATE OF TEXAS WITH REFERENCE THERETO; DECLARING AN EMERGENCY AND PROVIDING THAT THE ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Mayor announced the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the existing contract, designated as Contract No. W-359-eng-4784, dated September 1, 1942, between the City of Austin and the United States of America for the sale of light and power to Bergstrom Air Force Base does not meet the present requirements of said base; and

WHEREAS, The United States of America has requested the execution of a new contract; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a contract on behalf of the City of Austin with The United States of America for the sale of light and power by the City of Austin to The United States of America at Bergstrom Air Force Base in Travis County, Texas, in accordance with the terms and provisions of Department of The Air Force Contract No. AF 41(602)-68 as exhibited to the City Council by the City Manager; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to place and keep an executed copy of said Contract No. A.F 41(602)-68 in the permanent files of the City Clerk's Office.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Balcones Park Section Three", approved by the City Plan Commission of the City of Austin on February 12, 1953, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Dunlap Addition", approved by the City Plan Commission of the City of Austin on January 29, 1953, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Zoning Commission:

V. E. GROVE	(1) 110-122 Bastrop Highway	From "A" Residence To "C" Commercial
	(2) 100-200 Montopolis Drive	From "A" Residence To "C" Commercial
EAST END LUMBER CO. (By Felix Williams)	1134-1138 Airport Blvd.	From "A" Residence To "C" Commercial
JUNNIE C. & WOODROW W. KNAPE	5200-06 & 5201-13 Interregional Highway & 1009-22 & 1031-1039 East 53rd Street	From "A" Residence To "C" Commercial
ROBERT VAN ZANDT	3505 East 12th Street	From "A" Residence To "C" Commercial
R. G. WALKER	1109-A-1115A Shady Lane	From "A" Residence To "D" Industrial
W. P. WEBB, MRS. IRMA WRIGHT & A.B. BEDDOW By W. Sale Lewis	604-06-08 Canion Street	From "A" Residence To "D" Industrial

The Council set for public hearing at 11:00 A.M., March 12th, an Ordinance amending Section 31, Changes and Amendments of the Zoning Ordinance to provide that ordinances for amendments, supplement or change shall be either proposed by City Council or by the Planning Commission.

1. Amending Section 31, Subparagraph (b), which provides that any proposed change in the Zoning Ordinance shall either be proposed to the City Council by the Zoning Commission, or shall be referred by the City Council to the Zoning Commission for consideration and report, before any final action shall be taken by the City Council, by substituting the Planning Commission for the Zoning Commission.
2. Amending Section 31, Subparagraph (d), which provides that no amendment, supplement, change or repeal of any section of the Zoning Ordinance, which has been legally rejected by both the City Council and the Zoning Commission, shall be again considered either by the City Council or the Zoning Commission, by substituting in said subparagraph Planning Commission for Zoning Commission.

MR. WATT SCHIEFFER inquired as to the status of the zoning of the property on the Interregional Highway as it now stands in the Zoning Commission. It was stated that these applications would have to be reheard.

The Mayor read the following letter:

"January 7, 1953

"City Council
Municipal Building
Austin, Texas

"Gentlemen and Lady:

"We the undersigned members of the City of Austin Board of Equalization, duly appointed by the City Council, effective as of this date resign as members of the City of Austin Board of Equalization.

Yours sincerely,

(S) Rickey Key
(S) L. Theo Bellmont
(S) H. W. Bull"

Councilman MacCorkle moved that the resignation be accepted and that the Committee be thanked for the service it had rendered the City of Austin during the long periods of its trials and tribulations. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake
Noes: None
Absent: Councilman Johnson

Councilman MacCorkle made inquiry about the appointment of Auditors for the City, and suggested it might be well to withhold the appointment for the new Council. The Mayor was anxious to get the audit for the firemen and policemen pension fund.

Councilman Long asked that a study be made and presented to the Council of the comparative wage scales of the area, not only of the fire and policemen, but all comparative wages in this local area. The Mayor asked that this be sent out with the agenda next week.

Councilman White inquired about the status on the cross streets in South Austin. It was reported by the City Manager that the work was going forward.

Councilman Long inquired about the city's liability on the pigeons flying around the City. She had a complaint from MRS. BARNES, 307 West 15th, that the

pigeons were roosting on her roof and the pigeons had mites. She inquired about the fire and health hazards. Councilman Long moved that the City Health Officer be requested to look into the situation and render an opinion as to whether or not this is a health matter. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Discussion on the sale of the sludge for fertilizer was held. It was stated the fertilizer was used on the golf courses and parks, and sold to individuals; that the demand was greater than the supply. Councilman White inquired about the inquiry sometime back for the use of a certain amount of the water. It was stated this request was still under consideration.

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED:

W. S. Drake
Mayor

ATTEST:

Elai Hooley
City Clerk